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February 17, 2005

VIA ELECTRONIC FILING

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Room TW-B204
Washington, DC 20554

**Re: Notice of Oral *Ex Parte* Communication,
WT Docket No. 02-353 – Service Rules for Advanced Wireless Services
("AWS") in the 1.7 GHz and 2.1 GHz Bands**

Dear Madam Secretary:

In accordance with Section 1.1206 of the Commission's rules, 47 C.F.R. Section 1.1206, we hereby provide you with notice of an oral *ex parte* presentation in connection with the above-captioned proceeding. I represented the Rural Cellular Association ("RCA") in a discussion this date with Stephen Zak of the Wireless Telecommunications Bureau.

The Commission's record reflects that RCA supports a revised band plan that would make available, with RSA/MSA boundaries, a 20 MHz AWS license. The record also reflects that RCA supports retention of a 20 MHz license for "EA" sized areas. RCA has not been specific in its comments about which part of the band plan is preferred for RSA/MSA licenses, however in a discussion today with Mr. Zak RCA expressed concern about a potential band plan change that could disadvantage smaller companies such as RCA members. Because MDS Channel 1 is at 2150-2156 MHz, and it has not been determined by the Commission whether there would be a need for AWS licensees to reimburse MDS 1 licensees for relocation expenses, RCA views AWS spectrum Block E as encumbered spectrum not well suited for RSA/MSA license areas unless the MDS 1 relocation is firmly scheduled and is to occur without expense to the AWS licensees. Absent those assurances, RCA believes that AWS Block E is better suited

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for larger license areas and a 20 MHz RSA/MSA license should be made available with spectrum that does not include the MDS 1 spectrum.

Sincerely,

Filed Electronically

David L. Nace

Counsel for Rural Cellular Association

cc: Stephen Zak (by email)
Best Copy and Printing, Inc. (by email)